

**FINANCE/EXECUTIVE COMMITTEE**  
**AGENDA**  
**WEDNESDAY, MAY 31, 2006**

**A.    ADOPTION OF AGENDA**

**B.    APPROVAL OF MINUTES**

**C.    ORDINANCES FOR SECOND READING**

- 06-O-1061 ( 1)    An Ordinance by Councilmember Howard Shook authorizing the Chief Financial Officer of the Department of Finance to identify Commercial Paper as the Interim Funding Source for Airport Projects ("Projects") approved in Resolutions 06-R-0730, 06-R-0641 and 06-R-0832; authorize the Chief Financial Officer to reimburse any use of Commercial Paper with Passenger Facility Charges (PFC") upon Federal Aviation Authority ("FAA") approval of relevant PFC Applications; authorize the Chief Procurement Officer to change the funding source for the Projects upon FAA approval of the relevant PFC applications; and for other purposes.
- 06-O-1068 ( 2)    An Ordinance by Councilmember Clair Muller to amend the Charter of the City of Atlanta to provide for the Atlanta School Board, an Independent Body, the Rights and privileges of assessing, levying and collecting School Taxes.

**D.    RESOLUTIONS**

- 06-R-1062 ( 1)    A Resolution by Councilmember Howard Shook authorizing the Municipal Clerk to place a Public Advertisement in a newspaper of general circulation, depicting the tax digest millage rate, tax levy and other information required per Section 48-5-32 of the O.C.G.A..
- 06-R-1063 ( 2)    A Resolution by Councilmember Howard Shook authorizing the Mayor to amend Resolution Number 06-R-0641 by deleting an incorrect Center Number in the legislation; and for other purposes.
- 06-R-1064 ( 3)    A Resolution by Councilmember Howard Shook authorizing the Mayor to amend Resolution Number 06-R-0730 by deleting an incorrect Center Number in the legislation; and for other purposes.

**FINANCE/EXECUTIVE COMMITTEE AGENDA**  
**WEDNESDAY, MAY 31, 2006**  
**PAGE TWO**

**D.     RESOLUTIONS (CONT'D)**

- 06-R-1155 ( 4)   A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Intergovernmental Agreement between the Housing Authority of the City of Atlanta, Georgia ("AHA") and the City of Atlanta, Department of Planning and Community Development, Bureau of Housing ("City") so as to allow AHA to administer tenant based housing assistance through AHA's Housing Choice Voucher Program for eligible households displaced from the City of Atlanta's Section 8 Moderate Rehabilitation Program; and for other purposes.
- 06-R-1156 ( 5)   A Resolution by Finance/Executive Committee to correct Resolution Number 06-R-0677 adopted by City Council on March 20, 2006 and approved by the Mayor on March 28, 2006, to include the contract limit in the resolution language of the legislation and identify the appropriate Fund, Account and Center Numbers; and for other purposes.

**E.     ORDINANCES FOR FIRST READING**

- 06-O-1154 ( 1)   An Ordinance by Finance/Executive Committee to Anticipate and Appropriate Bond proceeds for the Hartsfield-Jackson Atlanta International Airport, Series 2006A Taxable Revenue Bonds in the amount of \$220,915,000.00 and bond proceeds for Series 02006B Revenue Bonds in the amount of \$21,945,205.35; and for other purposes.
- 06-O-1171 ( 2)   An Ordinance by Finance/Executive Committee adopting the 2006/07 Annual Operating Budget; and for other purposes.
- 06-O-1194 ( 3)   An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into an appropriate Agreement to amend contract number FC-7531-02-A, City of Atlanta/Washington Representative, to increase the scope of services provided under the contract and the dollar amount of the contract; and for other purposes.

**F.     PAPERS HELD IN COMMITTEE**

- 06-O-0380 ( 1)   A Substitute Ordinance by Finance/Executive Committee to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta,

**FINANCE/EXECUTIVE COMMITTEE AGENDA**  
**WEDNESDAY, MAY 31, 2006**  
**PAGE THREE**

**F. PAPERS HELD IN COMMITTEE (CONT'D)**

Georgia, 1996 GA Laws P. 4469, et seq., by amending Article 3, Chapter 1, Section 3-104 (14) so as to adjust the limitations upon the Mayor's procurement authority from \$100,000.00 to \$1,000,000.00; to amend Article 6, Chapter 4, Section 6-402, so as to adjust the limitations on the Mayor's small purchase authority from \$20,000.00 to \$1,000,000.00 and to adjust the threshold requirement for approval of competitively procured contracts by the City Council of Atlanta from \$100,000.00 to \$1,000,000.00; to repeal conflicting ordinances; and for other purposes. **(Held 2/15/06 to allow additional discussion and review in Committee Work Sessions)**

06-O-0381 ( 2)     An Ordinance by Finance/Executive Committee to amend Chapter 2, Article III, Sec. 2-176 and Chapter 2, Article X of the Code of Ordinances of the City of Atlanta, to provide more efficient, effective standards and procedures to better manage the Procurement Process in the City of Atlanta; to repeal conflicting Ordinances; and for other purposes. **(Held 2/15/06 to allow additional discussion and review in Committee Work Sessions)**

06-O-0787 ( 3)     An Ordinance by Councilmember Ceasar C. Mitchell to amend the Code of the City of Atlanta, Georgia by adding to Section 2-183; Department Heads Under Supervision and Direction of the Mayor; Exception Responsibilities; and for other purposes. **(Held 3/29/06) (Held at the request of the author)**

06-O-0816 ( 4)     An Ordinance by Councilmember Anne Fauver to provide for the Annexation of 1190 Spring Valley Way, Atlanta, Georgia, 30306, .22 Acre of Land located in Land Lot 55 of the 18<sup>th</sup> District of Dekalb County to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held 4/26/06) (Held pending recommendation from Planning office)**

**G. ITEMS NOT ON THE AGENDA**

**H. ADJOURNMENT**

*Handwritten signature*

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF FINANCE TO IDENTIFY COMMERCIAL PAPER AS THE INTERIM FUNDING SOURCE FOR AIRPORT PROJECTS ("PROJECTS") APPROVED IN RESOLUTIONS 06-R-0730, 06-R-0641 AND 06-R-0832; AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REIMBURSE ANY USE OF COMMERCIAL PAPER WITH PASSENGER FACILITY CHARGES ("PFC") UPON FEDERAL AVIATION AUTHORITY ("FAA") APPROVAL OF RELEVANT PFC APPLICATIONS; AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO CHANGE THE FUNDING SOURCE FOR THE PROJECTS UPON FAA APPROVAL OF THE RELEVANT PFC APPLICATIONS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City"), as owner and operator of the Hartsfield-Jackson Atlanta International Airport ("Airport"), has undertaken a major expansion of the Airport to accommodate increasing air traffic, including extensive renovations and upgrades; and

**WHEREAS**, the General Manager of the Department of Aviation and the Chief Financial Officer of the Department of Finance (collectively "Departments") recommend that Commercial Paper be identified as the interim funding source for Projects executed by Resolutions 06-R-0730 (FC-3005007894, Runway Safety Areas 26R-9L-9R), 06-R-0641 (FC-3005007892, Airfield Recycled Materials Site Management) and 06-R-0832 (FC-3005007893, Airfield Pavement Replacement Program 2006) (collectively "Resolutions"); and

**WHEREAS**, the Departments recommend that the Chief Financial Officer be authorized to reimburse any use of Commercial Paper with PFC funds upon the FAA approval of the relevant PFC applications for the Resolutions; and

**WHEREAS**, these PFC funds are identified as "pay-as-you-go" and are not bond proceeds, therefore said funds may be used to reimburse Commercial Paper; and

**WHEREAS**, the Departments recommend that the Chief Procurement Officer be authorized to change the funding sources for the Projects upon the FAA approval of the relevant PFC applications.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:**

**SECTION 1:** that the Chief Financial Officer identify Commercial Paper as the interim funding source for Resolutions 06-R-0730 (FC-3005007894, Runway Safety Areas 26R-

9L-9R), 06-R-0641 (FC-3005007892, Airfield Recycled Materials Site Management), and 06-R-0832 (FC-3005007893, Airfield Pavement Replacement Program 2006).

**SECTION 2:** that any use of Commercial Paper as the interim funding source for the Resolutions will be charged to and paid from Fund, Account and Center Number 2H21 774001 R21E052393DB.

**SECTION 3:** that Commercial Paper proceeds of \$148,070,913.80 be transferred from the reserve account to Fund, Account, and Center Number 2H21 774001 R21E052393DB to pay for said use of funds under Resolutions 06-R-0641, 06-R-0730, and 06-R-0832 as follows:

**TRANSFER FROM APPROPRIATIONS**

2H21	792001	T11001	Designated Reserve	\$148,070,913.80
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**TRANSFER TO APPROPRIATIONS**

2H21	774001	R21E052393DB	Airfield Pavement Replacement Program	\$148,070,913.80
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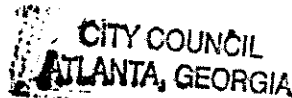
**SECTION 4:** that the Chief Financial Officer is authorized to reimburse any use of Commercial Paper for Resolution 06-R-0730 (FC-3005007894, Runway Safety Areas 26R-9L-9R) from Fund, Account and Center Number 2H26 (Airport Passenger Facility Charge), 574001 (Facilities Other Than Buildings), R21E050796AA (Airfield-General Improvement).

**SECTION 5:** that the Chief Financial Officer is authorized to reimburse any use of Commercial Paper for Resolution 06-R-0641 (FC-3005007892, Airfield Recycled Materials Site Management) from Fund, Account and Center Number 2H26 (Airport Passenger Facility Charge), 574001 (Facilities Other Than Buildings), R21E050796AA (Airfield-General Improvement).

**SECTION 6:** that the Chief Financial Officer is authorized to reimburse any use of Commercial Paper for Resolution 06-R-0832 (FC-3005007893, Airfield Pavement Replacement Program 2006) from Fund, Account and Center Number 2H26 (Airport Passenger Facility Charge), 574001 (Facilities Other Than Buildings), R21E052396AA (Airfield Pavement Replacement Program).

**SECTION 7:** that these PFC funds are identified as pay-as-you-go and are not bond proceeds, therefore said funds may be used to reimburse Commercial Paper.

**SECTION 8:** that the Chief Procurement Officer is directed to change the funding sources for the Projects upon FAA approval of the relevant PFC applications.



06-R-0730

**A SUBSTITUTE RESOLUTION**

**BY: TRANSPORTATION COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH PARAMOUNT CONTRACTING COMPANY FOR FC-3005007894, RUNWAY SAFETY AREAS 26R-9L-9R ON BEHALF OF THE DEPARTMENT OF AVIATION AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED THREE MILLION TWO HUNDRED EIGHTY EIGHT THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$3,288,860.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H26-574001-R21E052396AA (AIRPORT PASSENGER FACILITY CHARGE, FACILITIES OTHER THAN BUILDINGS, AIRFIELD PAVEMENT REPLACEMENT PROGRAM) WHEN APPROVED BY THE FEDERAL AVIATION ADMINISTRATION. SECONDARY FUNDING SOURCE FOR THIS PROJECT IS COMMERCIAL PAPER (FUND, ACCOUNT AND CENTER NUMBER 2H21-574001-R21E052393DB) (AIRPORT RENEWAL AND EXTENSION FUND, FACILITIES OTHER THAN BUILDINGS, NON AMT COMMERCIAL PAPER - AIRFIELD PAVEMENT REPLACEMENT PROGRAM).**

**WHEREAS,** the City of Atlanta (the "City") did solicit bids for FC-3005007894, Runway Safety Areas 26R-9L-9R on behalf of the Department of Aviation; and

**WHEREAS,** the General Manager of the Department of Aviation and Chief Procurement Officer of the Department of Procurement have recommended that the contract for FC-3005007894, Runway Safety Areas 26R-9L-9R be awarded to the most responsive, responsible lowest bidder Paramount Contracting Company.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,** that the Mayor or her designee be and is hereby authorized to execute an appropriate contractual agreement with Paramount Contracting Company on behalf of the Department of Aviation, in an amount not to exceed Three Million Two Hundred Eighty Eight Thousand Eight Hundred Sixty Dollars (\$3,288,860.00), for a term of one hundred twenty (120) calendar days from Construction Notice to Proceed.

**BE IT FURTHER RESOLVED,** that the Chief Procurement Officer is hereby directed to prepare an appropriate contractual agreement for execution by the Mayor to be approved by the City Attorney as to form.

**BE IT FURTHER RESOLVED,** that this agreement shall not become binding on the City and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting parties.

**BE IT FINALLY RESOLVED,** that all contracted work shall be charged to and paid for from Fund Account and Center Number 2H26-574001-R21E052396AA (Airport Passenger Facility Charge, Facilities Other Than Buildings, Airfield Pavement Replacement Program) when approved by the Federal Aviation Administration with secondary funding being provided by Fund Account and Center Number 2H21-574001-R21E052393DB (Airport Renewal And Extension Fund, Facilities Other Than Buildings, Non Amt Commercial Paper - Airfield Pavement Replacement Program).

A true copy,

  
Deputy Clerk

**ADOPTED by the Council**  
**APPROVED by the Mayor**

April 17, 2006  
April 25, 2006

RCS# 173  
4/17/06  
1:56 PM

Atlanta City Council

REGULAR SESSION

CONSENT I                      CONSENT I PG(S) 5-19 EXCEPT 06-O-0691  
                                    06-R-0719 06-R-0707 06-O-0706  
                                    ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I



06-~~P~~-0730

(Do Not Write Above This Line)

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

FINAL COUNCIL ACTION  
☒ 2<sup>nd</sup> ☐ 1<sup>st</sup> & 2<sup>nd</sup> ☐ 3<sup>rd</sup>  
Readings  
☒ Consent ☐ V Vote ☒ RC Vote

A RESOLUTION

TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH PARAMOUNT CONTRACTING COMPANY FOR FC-3005007894, RUNWAY SAFETY AREAS 26R-9L-9R, ON BEHALF OF THE DEPARTMENT OF AVIATION AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED THREE MILLION TWO HUNDRED EIGHTY EIGHT THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$3,288,860.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER: 2H21-774001-R21E050793DB (NON-AMT) AIRPORT RENEWAL AND EXTENSION FUND, FACILITIES OTHER THAN BUILDINGS, AIRFIELD-GENERAL IMPROVEMENT, COMMERCIAL PAPER.

SUBSTITUTE  
ADOPTED BY  
APR 17 2006  
COUNCIL

Committee

Date

Chair

Action

Other

Members

Refer To

Committee

Date

Chair

Action

Other

Members

Refer To

CERTIFIED

APR 17 2006

APR 17 2006

APR 17 2006  
MAYOR

APPROVED  
APR 15 2006

MAYOR



**CITY COUNCIL  
ATLANTA, GEORGIA**

**06-R-0641**

**AN AMENDED SUBSTITUTE RESOLUTION**

**BY: TRANSPORTATION COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH STEPHENS MDS, LP/THE LIONS GROUP, INC., A JOINT VENTURE FOR PROJECT NUMBER FC-3005007892, AIRFIELD RECYCLED MATERIALS SITE MANAGEMENT ON BEHALF OF THE DEPARTMENT OF AVIATION IN AN AMOUNT NOT TO EXCEED \$53,291,736.79; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H26-574001-R21E052396AA (AIRPORT PASSANGER FACILITY CHARGE, FACILITIES OTHER THAN BUILDINGS, AIRFIELD PAVEMENT REPLACEMENT PROGRAM) WHEN APPROVED BY THE FEDERAL AVIATION ADMINISTRATION. SECONDARY FUNDING SOURCE FOR THIS PROJECT IS COMMERCIAL PAPER (FUND, ACCOUNT AND CENTER NUMBER 2H21-574001-R21E052393DB) (AIRPORT RENEWAL AND EXTENSION FUND, FACILITIES OTHER THAN BUILDINGS, NON AMT COMMERCIAL PAPER- AIRFIELD PAVEMENT REPLACEMENT PROGRAM).**

**WHEREAS**, the City of Atlanta (the "CITY") did solicit bids for Project Number FC-3005007892, Airfield Recycled Materials Site Management, on behalf of the Department of Aviation; and

**WHEREAS**, the General Manager of the Department of Aviation and the Chief Procurement Officer of the Department of Procurement have recommended that the Contract for Project Number FC-3005007892, Airfield Recycled Materials Site Management be awarded to the most responsive, responsible bidder, Stephens MDS, LP/The Lions Group, A Joint Venture, on behalf of the Department of Aviation, in an amount not to exceed Fifty Three Million Two Hundred Ninety One Thousand Seven Hundred Thirty Six dollars and Seventy Nine cents (\$53,291,736.79).

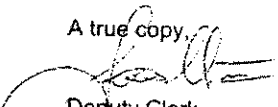
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee be and is hereby authorized to execute an appropriate contractual agreement with Stephens MDS, LP/The Lions Group, A Joint Venture, on behalf of the Department of Aviation, in an amount not to exceed Fifty Three Million Two Hundred Ninety One Thousand Seven Hundred Thirty Six dollars and Seventy Nine cents (\$53,291,736.79), for a term of seven hundred thirty (730) calendar days from the Construction Notice to Proceed.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is hereby directed to prepare an appropriate contractual agreement for execution by the Mayor, to be approved by the City Attorney as to form.

**BE IT FURTHER RESOLVED**, that this agreement shall not become binding on the City and the City shall incur no liability upon same until such agreement has been executed by the Mayor and delivered to contracting parties.

**BE IT FINALLY BE RESOLVED**, that all contracted work shall be charged to and paid for from Fund Account and Center Number 2H26-574001-R21E052396AA (Airport Passenger Facility Charge, Facilities Other Than Buildings, Airfield Pavement Replacement Program) when approved by the Federal Aviation Administration with secondary funding being provided by Fund Account and Center Number 2H21-574001-R21E052393DB (Airport Renewal And Extension Fund, Facilities Other Than Buildings, Non Amt Commercial Paper - Airfield Pavement Replacement Program).

A true copy,

  
Deputy Clerk

**ADOPTED** as amended by Council  
**APPROVED** by the Mayor

April 17, 2006  
April 25, 2006

RCS# 182  
4/17/06  
2:10 PM

Atlanta City Council

REGULAR SESSION

06-R-0641      AGRMNT STEPHENS MDS/LIONS GROUP AIRFIELD  
RECYCLED MATRLS SITE MGMNT 53,291,736.79  
ADOPT SUB AMEND

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	NV Norwood
NV Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

06-R-0641

06-R-0641

(Do Not Write Above This Line)

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

FINAL COUNCIL ACTION  
☐ 2<sup>nd</sup> ☐ 1<sup>st</sup> & 2<sup>nd</sup> ☐ 3<sup>rd</sup>  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

A RESOLUTION BY

TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH STEPHENS MDS, LP/THE LIONS GROUP, INC., JV FOR FC-3005007892, AIRFIELD RECYCLED MATERIALS SITE MANAGEMENT, ON BEHALF OF THE DEPARTMENT OF AVIATION AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED FIFTY THREE MILLION TWO HUNDRED NINETY ONE THOUSAND SEVEN HUNDRED THIRTY SIX DOLLARS AND SEVENTY NINE CENTS (\$53,291,736.79). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER: 2H21 774001 R21E050793DB (NON-AMT) AIRPORT RENEWAL AND EXTENSION FUND, FACILITIES OTHER THAN BUILDINGS, AIRFIELD-GENERAL IMPROVEMENT, COMMERCIAL PAPER.

SUBSTITUTE

ADOPTED

Committee *TRANSPORTATION*  
Date *3/20/06*  
Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
☒ Action  
☐ Other

Members \_\_\_\_\_

Refer To \_\_\_\_\_

ADOPTED BY

APR 17 2006

COUNCIL

Committee *TRANSPORTATION*  
Date *3/29/06*  
Chair *Clair Mueller*

Fav, Adv, Hold (see rev. side)  
☐ Action  
☒ Other

Members *Clair Mueller*

Refer To \_\_\_\_\_

CERTIFIED

APR 17 2006

CERTIFIED  
APR 17 2006  
R. L. Douglas, Jr.  
MUNICIPAL CLERK

APPROVED

MAYOR

**CITY COUNCIL  
ATLANTA, GEORGIA**

**A RESOLUTION BY  
FINANCE EXECUTIVE COMMITTEE**

**06-R-0832**

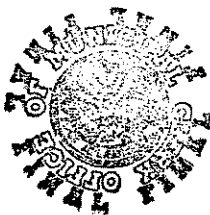
**A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH GSC Atlanta, Inc. FOR PROJECT NUMBER FC-3005007893, RUNWAY 8R/26L PAVEMENT REPLACEMENT ON BEHALF OF THE DEPARTMENT OF AVIATION IN AN AMOUNT NOT TO EXCEED \$91,490,317.00; ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H26 574001 R21E052396AA (AIRPORT PASSENGER FACILITY CHARGE, FACILITIES OTHER THAN BUILDINGS, AIRFIELD PAVEMENT REPLACEMENT PROGRAM) WHEN APPROVED BY THE FEDERAL AVIATION ADMINISTRATION WITH INTERIM FUNDING BEING PROVIDED BY FUND ACCOUNT AND CENTER NUMBER 2H21 574001 R21E052393DB (AIRPORT RENEWAL AND EXTENSION FUND, FACILITIES OTHER THAN BUILDINGS, NON AMT COMMERCIAL PAPER - AIRFIELD PAVEMENT REPLACEMENT PROGRAM).**

**WHEREAS**, the City of Atlanta ("City") did solicit bids for Project Number FC- 3005007893, Runway 8R/26L Pavement Replacement, on behalf of the Department of Aviation; and

**WHEREAS**, the General Manager of the Department of Aviation and the Chief Procurement Officer of the Department of Procurement have recommended that the Contract for Project Number FC-3005007893, Runway 8R/26L Pavement Replacement be awarded to the most responsive, responsible bidder, GSC Atlanta, Inc., on behalf of the Department of Aviation, in an amount not to exceed Ninety One Million, Four Hundred Ninety Thousand, Three Hundred Seventeen Dollars And Zero Cents (\$91,490,317.00), for a term from the issuance of the Notice to Proceed to November 06, 2006.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor be and is hereby authorized to execute an appropriate contractual agreement with GSC Atlanta, Inc., on behalf of the Department of Aviation, in an amount not to exceed Ninety One Million, Four Hundred Ninety Thousand, Three Hundred Seventeen Dollars And Zero Cents (\$91,490,317.00).

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is hereby directed to prepare an appropriate contractual agreement for execution by the Mayor, to be approved by the City Attorney as to form.



**BE IT FURTHER RESOLVED**, that this agreement shall not become binding on the City and the City shall incur no liability upon same until such agreement has been executed by the Mayor and delivered to contracting parties.

**BE IT FINALLY BE RESOLVED**, that all contracted work shall be charged to and paid for from Fund Account and Center Number 2H26 574001 R21E052396AA (Airport Passenger Facility Charge, Facilities Other Than Buildings, Airfield Pavement Replacement Program) when approved by the Federal Aviation Administration with interim funding being provided by Fund Account and Center Number 2H21 574001 R21E052393DB (Airport Renewal And Extension Fund, Facilities Other Than Buildings, Non Amt Commercial Paper – Airfield Pavement Replacement Program).

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

May 1, 2006  
May 8, 2006

RCS# 213  
5/01/06  
1:46 PM

Atlanta City Council

REGULAR SESSION

CONSENT I                      CONSENT I PG(S) 3-22 EXCEPT 06-O-0705

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

(Do Not Write Below)

08332

A RESOLUTION AUTHORIZING THE MAYOR  
OR HER DESIGNEE TO EXECUTE AN  
APPROPRIATE CONTRACTUAL AGREEMENT  
WITH GSC Atlanta, Inc. FOR PROJECT  
NUMBER FC-3005007893, RUNWAY 8R/26L  
PAVEMENT REPLACEMENT ON BEHALF OF  
THE DEPARTMENT OF AVIATION IN AN  
AMOUNT NOT TO EXCEED \$91,490,317.00.

ADOPTED BY

MAY 01 2006

COUNCIL

*MSWickes*

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members  
\_\_\_\_\_

Refer To  
\_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members  
\_\_\_\_\_

Refer To  
\_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members  
\_\_\_\_\_

Refer To  
\_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action  
Fav, Adv, Hold (see rev. side)  
Other \_\_\_\_\_

Members  
\_\_\_\_\_

Refer To  
\_\_\_\_\_

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
MAY 01 2006

ATLANTA CITY COUNCIL PRESIDENT

*John M. Foster*

CERTIFIED  
MAY 01 2006

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
MAY 08 2006

MAYOR



**LEGISLATIVE COUNSEL  
REQUEST FOR LEGISLATION**

**For Legislative Counsel Use Only**

\_\_\_\_\_ Date Received \_\_\_\_\_ Complete \_\_\_\_\_ Incomplete (Date returned: \_\_\_\_\_)  
\_\_\_\_\_ Date of Department Consultation \_\_\_\_\_ Date of Finance Department Consultation  
Commissioner Notified: \_\_\_\_ Yes \_\_\_\_ No If No, Why? \_\_\_\_\_  
Legislation Required \_\_\_\_\_ Legislation Type \_\_\_\_\_  
\_\_\_\_ Yes \_\_\_\_ No \_\_\_\_\_ Resolution \_\_\_\_\_ Ordinance  
Amends the Code \_\_\_\_\_ Blueback Prepared \_\_\_\_\_  
\_\_\_\_ Yes \_\_\_\_ No \_\_\_\_\_ Yes \_\_\_\_ No  
Commissioner Signature \_\_\_\_\_

Date Submitted: May 1, 2006

Department Submitting Request: Finance

Person Submitting Request: Maria Runnels Extension: 6967

Bureau/Division Manager: Karen Carter Extension: 6956

Requesting preliminary meeting with Legislative Counsel attorney? ☒ Yes ☐ No

Subject Matter of the Meeting Authority to issue DOA Commercial Paper as interim financing source

Deadline (not earlier than 4 weeks from date of submission):

## **LEGISLATIVE COUNSEL REQUEST FOR LEGISLATION**

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**If this must be submitted to Council in fewer than 4 weeks, please explain why. All non-conforming requests must have Commissioner approval.**

Request for 1<sup>st</sup> read at City Council meeting on May 15, 2006. Commercial Paper has been identified as the interim funding source for Airfield Pavement Replacement Program 2006. The projects in process must be funded prior to FAA approval.

**Instructions: Please answer all questions fully before submitting. Attach additional pages if necessary. All requests for legislation must have approval of a manager prior to submission. All incomplete requests will be returned. Send request via electronic mail to Legislative Counsel. No hard copies will be accepted. Please refer to attached deadlines for the relevant Chief of Staff submission guidelines.**

**LEGISLATIVE COUNSEL  
REQUEST FOR LEGISLATION**

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**4. Please explain and estimate any financial impact on the City or your Department.**

- ☐ Will the City need to appropriate or transfer funds to accomplish this purpose?  
No
- ☐ Has this purpose already been set forth in the budget?  
Yes
- ☐ Will there be a fee or charge assessed by the City?
  - If so, how much? No
  - How was the fee or charge determined?
- ☐ Will there be an increase or decrease in personnel? No
  - Has HR been made aware of the need for personnel changes?
  - Will positions be created or abolished?
- ☐ Will additional resources be required to achieve this purpose? No
  - If yes, what are those resources?
  - Has the Department estimated the cost of those resources?
- ☐ Will revenue be generated for the City? No

**5. If there has been previous or similar legislation, please describe and cite the relevant legislation (e.g., 04-R-0001).**

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Mickelson

Contact Number: 6207

Originating Department: DEPARTMENT OF FINANCE

Committee(s) of Purview: FINANCE/EXECUTIVE

Council Deadline: May 15, 2006

Committee Meeting Date(s): May 30-31, 2006 Full Council Date: June 5, 2006

Commissioner Signature Anna G. Bonner

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF FINANCE TO IDENTIFY COMMERCIAL PAPER AS THE INTERIM FUNDING SOURCE FOR AIRPORT PROJECTS ("PROJECTS") APPROVED IN RESOLUTIONS 06-R-0730, 06-R-0641 AND 06-R-0832; AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REIMBURSE ANY USE OF COMMERCIAL PAPER WITH PASSENGER FACILITY CHARGES ("PFC") UPON FEDERAL AVIATION AUTHORITY ("FAA") APPROVAL OF RELEVANT PFC APPLICATIONS; AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO CHANGE THE FUNDING SOURCE FOR THE PROJECTS UPON FAA APPROVAL OF THE RELEVANT PFC APPLICATIONS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) 0.00

Mayor's Staff Only

Received by Mayor's Office: 5/15/06 JP Reviewed by: JP  
(date)

Submitted to Council: \_\_\_\_\_  
(date)

AN ORDINANCE  
BY: COUNCILMEMBER CLAIR MULLER

06-O-1068

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA TO PROVIDE FOR THE ATLANTA SCHOOL BOARD, AN INDEPENDENT BODY, THE RIGHTS AND PRIVILEGES OF ASSESSING, LEVYING AND COLLECTING SCHOOL TAXES.**

WHEREAS, Subsection (e) of the City's Charter Section 6-101 reads as follows:

There shall be assessed, levied and collected an annual ad valorem tax for the support of public schools and for education purposes, *at the millage rate determined by the Atlanta Board of Education*, to billed and collected as other ad valorem taxes are billed and collected in accordance with this Charter, the basis for the billing and collection of such tax to be the millage as set forth in an annual written request signed by the president of said board of education together with a certified copy of the said board's budget and filed with the governing authority, the format and timing of such request to be the *only* action by the governing authority of the city necessary to levy such tax annually. All revenue derived from such school and education tax shall be paid into the treasury of the city and shall be remitted monthly to said board of education free from any charge except for the cost of collecting the tax. (Emphasis added.)

WHEREAS, the City of Atlanta wishes to provide for the Atlanta School Board the rights and privileges of assessing, levying and collecting school taxes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ATLANTA, GEORGIA that:

**SECTION 1:** Subsection (e) of Section 6-101 be deleted from the Atlanta City Charter.

C.2

**SECTION 2:** That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L. (Act No. 1019, p. 4469), *et- seq.* as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked ***Exhibit "A"*** and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

EXHIBIT A

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to **amend Section 6-101 (Entitled "General Power of Taxation")** of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, *et. seq.*) as amended, so as to ***delete Subsection (e)***; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This            day of \_\_\_\_\_, 2006

Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta

*Handwritten Signature*  
**A RESOLUTION BY  
FINANCE/EXECUTIVE COMMITTEE**

**06-R-1062**

**A RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO PLACE  
A PUBLIC ADVERTISEMENT IN A NEWSPAPER OF GENERAL  
CIRCULATION, DEPICTING THE TAX DIGEST MILLAGE RATE, TAX  
LEVY AND OTHER INFORMATION REQUIRED PER SECTION 48-5-32  
OF THE O.C.G.A.**

**WHEREAS**, Chapter 3, Section 6-302 of the City Charter requires the governing body of the City to adopt by ordinance an annual budget for the ensuing fiscal year, not later than the second regular meeting in the second month of each fiscal year; and

**WHEREAS**, Chapter 3, Section 6-302 of the City Charter and the 1937 Budget Law, as amended, requires that the total appropriation for any fund shall not exceed the estimated fund balance, reserves, and revenues constituting the fund availability of such fund; and

**WHEREAS**, Chapter 3, Section 6-301 of the City requires the Budget Commission to annually prepare and file with the governing body for submission, to the Mayor, the budget revenue anticipations for the City; and.

**WHEREAS**, the budget revenue anticipations submitted by the Budget Commission cannot be altered or changed by the governing body; and

**WHEREAS**, the governing body of the City must adopt a millage rate ordinance levying ad valorem taxes on all taxable property within the City, consistent with the Budget Commission budget revenue anticipations, such that an annual balanced budget can be adopted; and

**WHEREAS**, Section 48-5-32 of the Official Code of Georgia Annotated (O.C.G.A.) requires that a report be published in a newspaper of general circulation throughout the County at least two weeks prior to the establishment by each levying authority the millage rates for ad valorem taxes for the current calendar year; and

**WHEREAS**, Section 48-5-32.1 of the Official Code of Georgia Annotated (O.C.G.A.) requires the computation of a rollback millage rate to prevent tax increases resulting from increases to existing property values in a jurisdiction due to inflation; and

**WHEREAS**, the City will comply with the provision of the City Charter and the 1937 Budget Law, as amended, when it adopts the 2006-07 Budget in June 2006, and will comply with Section 48-5-32 and 48-5-32.1 of the O.C.G.A. when the approved 2006 Tax Digest Information, per the Fulton and Dekalb County Tax Commissioners, becomes available; and

**WHEREAS**, the City will prepare a public advertisement, based on the current Tax Digest information received, to be advertised in a paper of general circulation and will prepare millage



rate ordinances to be adopted by Council in accordance with the provisions of Section 48-5-32 of the O.C.G.A.; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** that the Municipal Clerk be and is hereby authorized and directed to place a public advertisement in a paper or papers of general circulation, depicting the tax digest, millage rate, ad valorem taxes and other information as required by Section 48-5-32 of the Official Code of Georgia Annotated.

**BE IT FURTHER RESOLVED** that the public advertisement shall be in a prominent location in such newspaper and shall not be included with legal advertisements.

**BE IT FURTHER RESOLVED** that the above mentioned information shall be broadcast on City Cable TV Channel.

## TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office:

**Greg Pridgeon**

(for review & distribution to Executive Management)

Commissioner Signature: \_\_\_\_\_

Director Signature: \_\_\_\_\_

From: Originating Dept.: Finance

Contact (name): Jermaine S. McClain ext 6902

Committee(s) of Purview: Finance/Executive Comm.

Committee Deadline: \_\_\_\_\_

Committee Meeting Date(s): May 31, 2006

City Council Meeting Date: June 5, 2006

### **CAPTION:**

A RESOLUTION BY  
FINANCE/EXECUTIVE COMMITTEE

AUTHORIZING THE MUNICIPAL CLERK TO PLACE A PUBLIC ADVERTISEMENT IN A NEWSPAPER OF GENERAL CIRCULATION, DEPICTING THE TAX DIGEST MILLAGE RATE, TAX LEVY, AND OTHER INFORMATION REQUIRED PER SECTION 48-5-32 OF THE O.C.G.A.

### **BACKGROUND/PURPOSE/DISCUSSION:**

This resolution authorizes and directs the City Clerk to place a public advertisement in a newspaper or papers of general circulation, depicting the Tax Digest, Millage rate, Ad Valorem Taxes and other information as required by Section 48-5-32 of the Official Code of Georgia Annotated.

### **FINANCIAL IMPACT (if any):**

\$5,526.36 for cost of advertisement.

Mayor's Staff Only

Received by Mayor's Office: \_\_\_\_\_

Reviewed: \_\_\_\_\_

Submitted to Council: \_\_\_\_\_

Action by Committee: \_\_\_\_\_ Approved \_\_\_\_\_ Adverse \_\_\_\_\_ Held \_\_\_\_\_ Amended  
\_\_\_\_\_ Substitute \_\_\_\_\_ Referred \_\_\_\_\_ Other

*Howard Shook*  
A RESOLUTION BY  
COUNCILMEMBER HOWARD SHOOK

06-R-1063

**A RESOLUTION AUTHORIZING THE MAYOR TO AMEND RESOLUTION NUMBER 06-R-0641 BY DELETING AN INCORRECT CENTER NUMBER IN THE LEGISLATION; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Council did adopt on April 17, 2006 and the Mayor did approve on April 25, 2006, Resolution 06-R-0641; and

**WHEREAS**, the legislation indicates funding be paid from Fund Account Center Number 2H26 574001 R21E052396AA; and

**WHEREAS**, the Departments of Finance and Aviation are in agreement with the amendment being made to the legislation.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES** that the Mayor is hereby authorized to amend Resolution Number 06-R-0641.

**BE IT FURTHER RESOLVED**, that 06-R-0641 is hereby amended by deleting Fund Account Center Number 2H26 574001 R21E052396AA and insert Fund Account Center Number 2H26 574001 R21E050796AA in the legislation.

**BE IT FINALLY RESOLVED**, that all resolutions and parts of resolution in conflict herewith are hereby waived for this instance only.

Hand Shook

06-R-1064

**A RESOLUTION BY  
COUNCILMEMBER HOWARD SHOOK**

**A RESOLUTION AUTHORIZING THE MAYOR TO AMEND RESOLUTION  
NUMBER 06-R-0730 BY DELETING AN INCORRECT CENTER NUMBER IN  
THE LEGISLATION; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Council did adopt on April 17, 2006 and the Mayor did approve on April 25, 2006, Resolution 06-R-0730; and

**WHEREAS**, the legislation indicates funding be paid from Fund Account Center Number 2H26 574001 R21E052396AA; and

**WHEREAS**, the Departments of Finance and Aviation are in agreement with the amendment being made to the legislation.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY  
RESOLVES**, that the Mayor is hereby authorized to amend Resolution Number 06-R-0730.

**BE IT FURTHER RESOLVED**, that 06-R-0730 is hereby amended by deleting Fund Account Center Number 2H26 574001 R21E052396AA and insert Fund Account Center Number 2H26 574001 R21E050796AA in the legislation.

**BE IT FINALLY RESOLVED**, that all resolutions and parts of resolution in conflict herewith are hereby waived for this instance only.

**A RESOLUTION BY  
FINANCE AND EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA ("AHA") AND THE CITY OF ATLANTA, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF HOUSING ("CITY") SO AS TO ALLOW AHA TO ADMINISTER TENANT BASED HOUSING ASSISTANCE THROUGH AHA'S HOUSING CHOICE VOUCHER PROGRAM FOR ELIGIBLE HOUSEHOLDS DISPLACED FROM THE CITY OF ATLANTA'S SECTION 8 MODERATE REHABILITATION PROGRAM; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City administers a Section 8 Moderate Rehabilitation Program, which is a form of project based housing assistance, to very low income families; and

**WHEREAS**, AHA administers a tenant based Section 8 Housing Choice Voucher Program; and

**WHEREAS**, the City is responsible for providing housing assistance to eligible tenants in the event that they are displaced due to the sale of property where they live, the property owner fails to comply with Federal Housing Quality of Standards ("HQS"), or the City or property owner elects not to renew the contract; and

**WHEREAS**, AHA is a public housing agency organized under Georgia law to administer assisted housing programs and to develop, acquire, lease and operate affordable housing for low-income families; and

**WHEREAS**, the City desires AHA to provide and administer Housing Choice Vouchers to eligible displaced households under the City's Section 8 Moderate Rehabilitation Program as set forth in the Intergovernmental Agreement ("IGA") attached hereto and made a part hereof as (Exhibit "A").

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES** that the Mayor be and is hereby authorized to execute on behalf of the City of Atlanta, an Intergovernmental Agreement between the Housing Authority of the City of Atlanta and the City of Atlanta, Department of Planning and Community Development, Bureau of Housing as set forth in the form attached as Exhibit A.

**BE IT FINALLY RESOLVED** that the City Attorney be and hereby is directed to negotiate, prepare, review and present to the Mayor for execution, the agreement necessary to effect the intent of this resolution.

**INTERGOVERNMENTAL GRANT AGREEMENT  
BETWEEN THE CITY OF ATLANTA AND  
THE HOUSING AUTHORITY OF THE CITY OF ATLANTA**

This Intergovernmental Agreement ("Agreement") is entered into as of this \_\_\_\_ day of May 2006 (the "effective date"), by and between **The Housing Authority of the City of Atlanta, Georgia** ("AHA"), a public body, corporate and politic organized under the Housing Authorities Law of the State of Georgia, and the **City of Atlanta, Department of Planning and Community Development, Bureau of Housing** ("City"), a public body, corporate and politic organized under the Laws of the State of Georgia. AHA and the City may hereinafter be collectively referred to as the "Parties."

**WHEREAS**, the Council of the City of Atlanta adopted a resolution on July 16, 1979 which was approved by the Mayor on July 20, 1979 authorizing the participation of the City in the Section 8 Moderate Rehabilitation Program (MR Program); and

**WHEREAS**, the City has administered the Section 8 Moderate Rehabilitation Program (MR Program) since 1981 in order to provide rental subsidies to very low income families and individuals; and

**WHEREAS**, the Section 8 Moderate Rehabilitation Housing Assistance Payments Contract ("MRHAP") between the City and property owner requires that the property and/or units under the contract must remain in compliance with Federal Housing Quality Standards ("HQS"); and

**WHEREAS**, funds for housing assistance on behalf of eligible families are provided by HUD under an Annual Contributions Contract ("ACC") between HUD and the City of Atlanta.

**WHEREAS**, the City has entered into 15-year Housing Assistance Payments (HAP) Contracts with several property owners within the City of Atlanta in order to provide rental subsidies to very low income families under the MR Program; and

**WHEREAS**, if a property in the City's MR Program is sold or transferred to another entity; the owner of the property is no longer compliant with HQS standards for failing to make timely repairs; the City or property owner elects not to renew the contract or fails to comply with any other terms and conditions of the MRHAP, then said contract may be terminated at the City's discretion and the project based housing assistance converted to tenant based housing assistance; and

**WHEREAS**, AHA is a public housing agency organized under Georgia law to administer assisted housing programs and to develop, acquire, lease and operate affordable housing for low-income families; and

**WHEREAS**, the AHA administers a Section 8 Housing Choice Voucher Program which provides tenant based rental assistance to eligible families; and

**WHEREAS**, the Housing Authority of the City of Atlanta (AHA) has agreed to on a property by property basis to provide Housing Choice Vouchers to eligible displaced households pursuant to the guidelines set forth in the AHA Housing Choice Voucher, and

**WHEREAS**, subject to the terms and conditions set forth herein, the City desires for AHA to provide and administer tenant based housing assistance funded by the City through AHA'S Housing Choice Voucher Program for eligible displaced households at the City's discretion for the MR Program, and

**NOW THEREFORE BE IT FURTHER RESOLVED**, in consideration of the mutual agreement between the City of Atlanta and the AHA contained herein, the parties hereby agree as follows:

**Section 1. Transfer of Responsibilities.** AHA'S sole responsibility under this Agreement will be to provide and administer tenant based Housing Choice Vouchers funded by the City for displaced households as a result of the City's termination of its MRHAP with the property listed on Exhibit "A", attached hereto and incorporated herein.

**Section 2. Property Identification.** The property to be terminated from the MR Program is identified on Exhibit "A" of this Agreement. The City and AHA agree that this Agreement may be modified by written mutual agreement of the parties to include additional MR Program properties. The property listed on Exhibit "A" will no longer be subject to the terms and conditions of this Agreement after the United States Department of Housing and Urban Development (HUD) transfers funding with respect to such property directly to AHA.

**Section 3. Conversion Process.** Upon determination by the City that a MRHAP will be terminated, the City will notify AHA and provide a Family Report (HUD 50058) for each occupied unit under contract. AHA in its sole discretion will determine whether to accept the property under this Agreement and if AHA desires to accept the property, AHA will provide a written modification to the City to add the property to Exhibit "A". If the property is accepted, AHA will coordinate the eligibility and intake process with the City to determine which eligible displaced households of said property will be accepted by AHA to receive Housing Choice Vouchers in accordance with AHA eligibility requirements. Any household in AHA's sole discretion deemed not eligible under AHA eligibility requirements shall not be accepted by AHA and AHA shall have no responsibility to provide assistance of any kind to the displaced households.

**Section 4. Criminal Screening.** All households to be converted from the MR Program to the Housing Choice Voucher Program will be screened for eligibility pursuant to AHA'S criminal screening policy. Criminal screening is required for all household members age 16 and older. Households which do not pass AHA'S criminal screening

will not receive tenant based Housing Choice Vouchers from AHA and AHA shall have no liability or responsibility with respect to such household. If the City has questions regarding the ineligibility of a family/tenant, the City will request AHA to provide a written determination of that ineligibility on behalf of the family/tenant.

**Section 5. Scope of Responsibilities.** AHA agrees that it shall monitor the properties which accept the tenant based vouchers pursuant to the applicable program policies mandated by the U. S. Department of Housing and Urban Development ("HUD").

**Section 6. Term.** This Agreement shall be effective from the effective date of this Agreement first written above through the date on which HUD transfers the Annual Contributions Contract (ACC) authority to AHA for all properties identified in Exhibit A of this Agreement until June 30, 2015.

**Section 7. Payments.** At the time of expiration of the ACC increment of funding for properties listed in Exhibit A between the City and HUD, it is anticipated that HUD will transfer all funding directly to AHA. Until such time that the applicable funding is transferred directly from HUD to AHA, the City will pay to AHA, on a monthly basis, an amount equal to the applicable Housing Assistance Payments for each household converted from the MR Program to Housing Choice Voucher Program along with the HUD approved administrative fee for each corresponding unit. AHA will submit a detailed invoice of the previous month's payments to the City by the 10<sup>th</sup> day of each month and the City will remit payment by the 25<sup>th</sup> day of each month for the previous month's assistance. If the City fails to remit the payments as provided herein or if HUD refuses to transfer funding directly to AHA after the termination of the ACC, then AHA may terminate this Agreement and/or any future housing assistance to the households accepted by AHA under this Agreement. The City will not be held liable by the AHA if HUD fails to remit payments to the City or terminates its agreement with the City and remits payments directly to AHA.

**Section 8. Reporting.** AHA shall provide a monthly report to the City that identifies the names of the family members, name of landlord, address of rental unit, amount of HAP payments, identification of vacancy payments, abatement of HAP payments, status of HQS inspections and other pertinent information that the City may request from time to time.

**Section 9. Notices.** Notices and the reports described herein shall be delivered or sent to the parties as follows:

To AHA:      Renée Lewis Glover  
                 President and Chief Executive Officer  
                 The Housing Authority of the City of Atlanta, Georgia  
                 230 John Wesley Dobbs Avenue, N.E.  
                 Atlanta, Georgia 30303-2421  
                 Fax: 404-332-0100



Gloria J. Green  
General Counsel and Chief Legal Officer  
The Housing Authority of the City of Atlanta, Georgia  
230 John Wesley Dobbs Avenue, N.E.  
Atlanta, Georgia 30303-2421  
Fax: 404-332-0104

To City: Steven R. Cover  
Commissioner  
Department of Planning and Community Development  
55 Trinity Street, S.W., Suite  
Atlanta, Georgia 30303  
Fax: (404) 658-7638

Terri. M. Lee  
Director  
Bureau of Housing  
68 Mitchell Street, S.W., Suite 1200  
Atlanta, Georgia 30303  
Fax: 404-658-6950

Section 10. Amendments/Execution. This Agreement may only be amended or modified as allowed in Section 2.

IN WITNESS WHEREOF, AHA and the City have caused this Agreement to be entered into and caused their seals to be affixed hereto as of the day and year first above written.

**THE HOUSING AUTHORITY OF THE  
CITY OF ATLANTA, GEORGIA**

Attest:

(SEAL)

By: \_\_\_\_\_

Renée Lewis Glover

President and Chief Executive Officer

**[SIGNATURES CONTAINED ON FOLLOWING PAGE]**

**CITY OF ATLANTA, GEORGIA**

Attest:

\_\_\_\_\_  
Municipal Clerk

BY: \_\_\_\_\_ (SEAL)  
Mayor, CITY OF ATLANTA

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Chief Operating Officer

\_\_\_\_\_  
Chief Financial Officer

\_\_\_\_\_  
Chief Procurement Officer

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Terry D. [Signature]

Contact Number: 6946

Originating Department: Planning and Community Development

Committee(s) of Purview: Community Development and Human Resources

Council Deadline: 5/15/06

Committee Meeting Date(s): 5/30 - 5/31 Full Council Date: 6/5/06

Commissioner Signature [Signature]

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA ("AHA") AND THE CITY OF ATLANTA, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF HOUSING ("CITY") SO AS TO ALLOW AHA TO ADMINISTER TENANT BASED HOUSING ASSISTANCE THROUGH AHA'S HOUSING CHOICE VOUCHER PROGRAM FOR ELIGIBLE HOUSEHOLDS DISPLACED FROM THE CITY OF ATLANTA'S SECTION 8 MODERATE REHABILITATION PROGRAM; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by Mayor's Office: 5/16/06 [Signature] Reviewed by: [Signature]  
(date) (date)

Submitted to Council: 5/19/06  
(date)

**A RESOLUTION  
BY FINANCE/ EXECUTIVE COMMITTEE**

**A RESOLUTION TO CORRECT RESOLUTION NUMBER 06-R-0677 ADOPTED BY CITY COUNCIL ON MARCH 20, 2006 AND APPROVED BY THE MAYOR ON MARCH 28, 2006, TO INCLUDE THE CONTRACT LIMIT IN THE RESOLUTION LANGUAGE OF THE LEGISLATION AND IDENTIFY THE APPROPRIATE FUND ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, resolution 06-R-0677 authorizing the Mayor to enter into a contract with A-Action Janitorial and Vending, Inc. was adopted by the Atlanta City Council on March 20, 2006, and approved by the Mayor on March 28, 2006; and

**WHEREAS**, the contract limit is two hundred seventy one thousand nine hundred and seventy-two dollars (\$271,972); and

**WHEREAS**, the final clauses of resolution 06-R-0677 did not specify the amount that the contract should not exceed, therefore the expenditure was not authorized by the City Council; and

**WHEREAS**, resolution 06-R-0677 identified the following fund, account and center numbers which were attached to the final legislation filed with the Office of the Municipal Clerk, but were not intended to be a part of the legislation: 2J01 521101 Q37301 (Revenue Fund, Supplies Consumable, Pumping Station) 2J01 521101 Q33001 (Revenue Fund, Supplies Consumable, Utoy Creek WRC), 2J01 521101 Q36001 (Revenue Fund, Supplies Consumable, Intrenchment WRC), 2J01 521101 Q35001 (Revenue Fund, Supplies Consumable, South River WRC), 2J01 521101 Q30003 (Revenue Fund, Supplies Consumable, Administration, Treatment and Collections) and 2H01 521101 W32002 (Airport Revenue Fund, Supplies Consumable, Airport Fire Suppression).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that resolution 06-R-0677 is hereby corrected to authorize the Mayor to enter into an agreement with A-Action Janitorial and Vending, Inc., in an amount not to exceed two hundred seventy one thousand nine hundred and seventy-two dollars (\$271,972).

**BE IT FURTHER RESOLVED**, that services for said contracted work shall not be charged to or paid from fund account and center numbers: 2J01 521101 Q37301 (Revenue Fund, Supplies Consumable, Pumping Station) 2J01 521101 Q33001 (Revenue Fund, Supplies Consumable, Utoy Creek WRC), 2J01 521101 Q36001 (Revenue Fund, Supplies Consumable, Intrenchment WRC), 2J01 521101 Q35001 (Revenue Fund, Supplies Consumable, South River WRC), 2J01 521101 Q30003 (Revenue Fund, Supplies Consumable, Administration, Treatment and Collections) and 2H01 521101 W32002 (Airport Revenue Fund, Supplies Consumable, Airport Fire Suppression).

**BE IT FURTHER RESOLVED**, that all services for said contracted work shall be charged to and paid from fund account and center numbers: 1A01 (General Fund)- 523001 (Service, Repair and Maintenance)- D45102 (City Hall Complex) (\$186,246), 1A01 (General Fund)- 523001 (Service, Repair and Maintenance)- X22001 (Property Management) (\$32,331) 2J01 (Water and Wastewater Revenue Fund)- 523001 (Service, Repair and Maintenance)-Q64001 (Plant Maintenance) (\$30,688.40).

**CITY COUNCIL  
ATLANTA, GEORGIA**

**06-R-0677**

**A RESOLUTION BY**

**FINANCE/EXECUTIVE COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH A-ACTION JANITORIAL AND VENDING, INC, FOR FC-7665-04A, CITYWIDE JANITORIAL SERVICES, ON BEHALF OF THE OFFICE OF GENERAL SERVICES IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO DOLLARS (\$271,972). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBERS 1A01 (GENERAL FUND)-523001 (SERVICE, REPAIR, AND MAINTENANCE) -D45102 (CITY HALL COMPLEX)(\$186,246), 1A01 (GENERAL FUND)-523001 (SERVICE, REPAIR, AND MAINTENANCE)-X22001 (PROPERTY MANAGEMENT) (\$32,331) 2J01 (WATER AND WASTEWATER REVENUE FUND)-523001 (SERVICE, REPAIR, AND MAINTENANCE)-Q64001 (PLANT MAINTENANCE) (\$30,668.40), AND FOR OTHER PURPOSES..**

**WHEREAS,** the Chief Procurement Officer of the Department of Procurement did advertise on behalf of the City of Atlanta FC-7665-04A, Citywide Janitorial Services.

**WHEREAS,** the Director of the Office of General Services and the Chief Procurement Officer have recommended that the agreement for FC-7665-04A, Citywide Janitorial Services, be awarded to A-Action Janitorial & Vending Inc., for a three (3) year term, with two (2) one (1) year renewal options; and in an amount not to exceed \$271,972.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,** that the Mayor be and is hereby authorized to enter into an agreement with A-Action Janitorial & Vending, Inc.

**BE IT FURTHER RESOLVED,** that the Chief Procurement Officer be and is hereby directed to prepare an appropriate agreement for execution by the Mayor to be approved by the City Attorney as to form.

**BE IT FURTHER RESOLVED,** the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party. The term for this contract is for three (3) years, with two (2) one (1) year renewal options.

**BE IT FINALLY RESOLVED,** that all services for said contracted work shall be charged to and paid from fund account and center numbers: 1A01(General Fund)-523001(Service, Repair, and Maintenance)-D45102(City Hall Complex)(\$186,246), 1A01(General Fund)-523001(Service, Repair, and Maintenance)-X22001(Property Management)(\$32,331), 2J01(Water and Wastewater Revenue Fund)-523001(Service, Repair, and Maintenance)-Q64001(Plant Maintenance) (\$30,668.40)



**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer be and is hereby directed to prepare the appropriate contractual agreement.

**BE IT FURTHER RESOLVED**, that the contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until such agreement has been delivered to the contracting party.

**BE IT FINALLY RESOLVED**, that all contracted work shall be charged to and paid from Fund Account and Center numbers: 2J01 521101 Q37301 (Revenue Fund, Supplies Consumable, Pumping Station), 2J01 521101 Q33001 (Revenue Fund, Supplies Consumable, Utoy Creek WRC), 2J01 521101 Q36001 (Revenue Fund, Supplies Consumable, Intrenchment WRC), 2J01 521101 Q35001 (Revenue Fund, Supplies Consumable, South River WRC), 2J01 521101 Q30003 (Revenue Fund, Supplies Consumable, Administration, Treatment and Collections) and 2H01 521101 W32002 (Airport Revenue Fund, Supplies Consumable, Airport Fire Suppression).

A true copy,

  
Deputy Clerk

ADOPTED by the Council  
APPROVED by the Mayor

Mar 20, 2006  
Mar 28, 2006

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT I PG(S) 3-20 EXCEPT 06-R-0653  
06-R-0676 06-R-0681  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Hall	NV Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I



		03-20-06 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 06-O-0580 2. 06-O-0581 3. 06-O-0582 4. 06-O-0583 5. 06-O-0592 6. 06-O-0594 7. 06-O-0600 8. 06-O-0601 9. 06-O-0269 10. 06-O-0270 11. 06-O-0271 12. 06-O-0550 13. 06-O-0613 14. 06-O-0699 15. 06-O-0701 16. 06-O-0702 17. 06-O-0695 18. 06-O-0541 19. 06-R-0585 20. 06-R-0586 21. 06-R-0588 22. 06-R-0647 23. 06-R-0668 24. 06-R-0669 25. 06-R-0671 26. 06-R-0649 27. 06-R-0650 28. 06-R-0651 29. 06-R-0652 30. 06-R-0655 31. 06-R-0673	32. 06-R-0673 33. 06-R-0675 34. 06-R-0677 35. 06-R-0678 36. 06-R-0679 37. 06-R-0680 38. 06-R-0682 39. 06-R-0683 40. 06-R-0684 41. 06-R-0686 42. 06-R-0687 43. 06-R-0642 44. 06-R-0643 45. 06-R-0644 46. 06-R-0645 47. 06-R-0646 48. 06-R-0685 49. 06-R-0700 50. 06-R-0703 51. 06-R-0704 52. 06-R-0692 53. 06-R-0693 54. 06-R-0614 55. 06-R-0615 56. 06-R-0616 57. 06-R-0617 Items Adversed on Consent 58. 06-R-0618 59. 06-R-0619 60. 06-R-0620 61. 06-R-0621	62. 06-R-0622 63. 06-R-0623 64. 06-R-0624 65. 06-R-0625 66. 06-R-0626 67. 06-R-0627 68. 06-R-0628 69. 06-R-0629 70. 06-R-0630 71. 06-R-0631 72. 06-R-0632 73. 06-R-0634 74. 06-R-0635 75. 06-R-0636 76. 06-R-0637 77. 06-R-0638

06-**P-0677**

(Do Not Write Above This Line)

First Reading

FINAL COUNCIL ACTION

A RESOLUTION  
BY FINANCE EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH A-ACTION JANITORIAL AND VENDING, INC, FOR FC-7665-04A, CITYWIDE JANITORIAL SERVICES, ON BEHALF OF THE OFFICE OF GENERAL SERVICES IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO DOLLARS (\$271,972). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBERS 1A01 (GENERAL FUND)-523001 (SERVICE, REPAIR, AND MAINTENANCE)-D45102 (CITY HALL COMPLEX)(S186,246), 1A01 (GENERAL FUND)-523001 (SERVICE, REPAIR, AND MAINTENANCE)-X22001 (PROPERTY MANAGEMENT) (\$32,331) 2101 (WATER AND WASTEWATER REVENUE FUND)-523001 (SERVICE, REPAIR, AND MAINTENANCE)-Q64001 (PLANT MAINTENANCE) (\$30,668.40), AND FOR OTHER PAYMENTS.

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee **FIN Executive**  
Date **3-15-06**  
Chair **Paul SCA**

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

Committee

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side) \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side) \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

ADOPTED BY

MAR 20 2006

COUNCIL

Refer To \_\_\_\_\_

☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAR 20 2006

*[Signature]*  
MAR 20 2006  
Revenue Management Services  
Director of Finance

MAYOR'S ACTION

APPROVED

*[Signature]*  
MAR 20 2006

MAYOR

Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:  
Referred To:

REGULAR REPORT REFER  
ADVERTISE & REFER  
1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER  
PERSONAL PAPER REFER

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): DD Sakuma

Contact Number: x 6310

Originating Department: Procurement

Committee(s) of Purview: Finance/ Executive

Council Deadline: May 15, 2006

Committee Meeting Date(s): May 30-31, 2006 Full Council Date: June 5, 2006

Commissioner Signature G. Dan R. Smith

**CAPTION**

A RESOLUTION TO CORRECT RESOLUTION NUMBER 06-R-0677 ADOPTED BY CITY COUNCIL ON MARCH 20, 2006 AND APPROVED BY THE MAYOR ON MARCH 28, 2006, TO INCLUDE THE CONTRACT LIMIT IN THE RESOLUTION LANGUAGE OF THE LEGISLATION AND IDENTIFY THE APPROPRIATE FUND ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: \$271,972.00

Mayor's Staff Only

Received by Mayor's Office:

(date)

5/16/06 JP

Reviewed by:

(date)

JP

Submitted to Council:

(date)

5/19/06 J

AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS FOR THE HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, SERIES 2006A TAXABLE REVENUE BONDS IN THE AMOUNT OF \$220,915,000 AND BOND PROCEEDS FOR SERIES 2006B REVENUE BONDS IN THE AMOUNT OF \$21,945,205.35; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta owns and operates the Hartsfield-Jackson Atlanta International Airport; and

WHEREAS, the Hartsfield-Jackson Atlanta International Airport has embarked on a ten-year capital improvement plan to address additional landside and airside improvements attributable to sustained passenger traffic growth; and

WHEREAS, under the authority of the Constitution of the State of Georgia as amended, the City Council of Atlanta, Georgia adopted The Eleventh Supplemental Bond Ordinance 06-O-0552 which authorized the issuance of taxable revenue bonds, Series 2006A, in the original aggregate principal amount not to exceed \$250,000,000 and revenue bonds, Series 2006B, in the original aggregate principal amount not to exceed \$25,000,000; and

WHEREAS, said bond proceeds need to be anticipated and appropriated in the proper fund, account, and cost centers; and

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows,

**SECTION 1:** That the 2006 (2006 Bond Project Fund) budget be amended as follows:

<u>ADD TO ANTICIPATIONS</u>				
2H35	693101	B00001	Bond Proceeds	\$ 221,110,000.00
2H35	693101	B00001	Bond Proceeds	\$ 21,555,000.00
2H35	693102	B00001	Premium on Bonds Sold	\$ 382,022.15
<b>Total Anticipations</b>				<b><u>\$ 243,047,022.15</u></b>

<u>ADD TO APPROPRIATIONS</u>				
2H35	773001	R21E070693CT	CONRAC Center (AMT)	\$ 191,718,556.21
2H35	774001	R21E013593CU	CONRAC APM System (Non-AMT)	\$ 19,806,847.80
2H35	791001	T11001	Reserve for Appropriation	\$ 23,648,646.16
2H35	729009	T31001	Bond Sales Expenses	\$ 7,872,971.98
<b>Total Appropriations</b>				<b><u>\$ 243,047,022.15</u></b>

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): [Signature]

Contact Number: x 6310

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Council Deadline: May 15, 2006

Committee Meeting Date(s): May 30-31, 2006 Full Council Date: June 5, 2006

Commissioner Signature [Signature]

CAPTION

AN ORDINANCE TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS FOR THE HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, SERIES 2006A TAXABLE REVENUE BONDS IN THE AMOUNT OF \$220,915,000.00 AND BOND PROCEEDS FOR SERIES 2006B REVENUE BONDS IN THE AMOUNT OF \$21,945,205.35; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT:

Mayor's Staff Only

Received by Mayor's Office: 5/16/06 (date) [Signature] Reviewed by: [Signature] (date)

Submitted to Council: 5/19/06 (date)

**AN ORDINANCE BY FINANCE/  
EXECUTIVE COMMITTEE**

**06-O-1171**

**AN ORDINANCE ADOPTING THE 2006/07 ANNUAL OPERATING  
BUDGET; AND FOR OTHER PURPOSES.**

**AN ORDINANCE BY  
FINANCE/ EXECUTIVE COMMITTEE**

**06-0-1194**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO AMEND CONTRACT NUMBER FC-7531-02-A, CITY OF ATLANTA WASHINGTON REPRESENTATIVE, TO INCREASE THE SCOPE OF SERVICES PROVIDED UNDER THE CONTRACT AND THE DOLLAR AMOUNT OF THE CONTRACT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") entered into an agreement with Patton Boggs LLP ("Patton Boggs") on January 17, 2004 for consulting services, in an amount not to exceed Two Hundred And Thirty Four Thousand Dollars and no cents (\$234,000.00); and

**WHEREAS**, the contract term is three (3) years, with two (2) one (1) year renewal options; and

**WHEREAS**, performance of the scope of services under the contract is heavily reliant upon the contractor's established relationships and access to information regarding federal legislation, funding and programs which will impact the City; and

**WHEREAS**, the professional staff who have been working on the City's issues have moved to the firm of Pillsbury Winthrop Shaw Pittman, LLP ("Pillsbury"); and

**WHEREAS**, the professional staff who have performed the work have rendered good and valuable service to the City; and

**WHEREAS**, pursuant to the terms of the contract, Patton Boggs may assign the contract if the City agrees; and

**WHEREAS**, the City has agreed to the assignment because the team of professionals is the same as has been working on the City's contract since the engagement began; and

**WHEREAS**, the City may request changes in the scope of services performed by Patton Boggs, however, such changes which may be mutually agreed upon by the parties, shall not be enforceable until and unless a written amendment is executed by the parties; and

**WHEREAS**, the team from Patton Boggs, now at Pillsbury, has performed its duties under the contract effectively, and the parties have mutually agreed to increase the scope of services performed under the contract to more accurately reflect the City's needs and interests; and

**WHEREAS**, the contract further provides that any increase or decrease in the amount of compensation shall not be enforceable until and unless a written amendment is executed by the parties; and

**WHEREAS**, the Mayor desires to enter into an agreement to amend the contract to increase the scope of services provided, and increase the compensation due under the contract by Forty Thousand Dollars (\$40,000.00).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** That the Mayor be and is hereby authorized to enter into an agreement amending contract number FC-7531-02-A Washington Representative, to increase the scope of work and the dollar amount of the contract by Forty Thousand Dollars (\$40,000.00), for a total contract price not to exceed Two Hundred And Seventy-Four Thousand Dollars and no cents (\$274,000.00).

**SECTION 2:** That the City Attorney be and is hereby directed to prepare the appropriate contractual agreements for execution by the Mayor, to be approved by the City Attorney as to form, and that said contractual agreement shall not become binding upon the City and the City shall incur no liability upon the same until such contract has been executed by the Mayor and delivered to the contracting parties.

**SECTION 3:** That the increase in the dollar amount of the contract shall be charged to and paid from fund account and center numbers: 1A01 (General Fund) 524001 (Consultant/Professional Services) T31001 (Unallocated Fund-wide Expenses).

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.



TRANSMITAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Aiko Bothea

Contact Number: \_\_\_\_\_ ext. 6948

Originating Department: \_\_\_\_\_ Mayors Office

Committee(s) of Purview: Finance/Executive

Council Deadline: May 15, 2006

Committee Meeting Date(s): 5/30-5/31 Full Council Date: 6/5/06

Commissioner Signature [Signature]

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO AMEND CONTRACT NUMBER FC-7531-02-A, CITY OF ATLANTA WASHINGTON REPRESENTATIVE, TO INCREASE THE SCOPE OF SERVICES PROVIDED UNDER THE CONTRACT AND THE DOLLAR AMOUNT OF THE CONTRACT; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by Mayor's Office: 5/23/06 [Signature] Reviewed by: [Signature]  
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**06-O- 0380**

***AS SUBSTITUTED BY  
FINANCE/EXECUTIVE COMMITTEE***

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 3, CHAPTER 1, SECTION 3-104 (14) SO AS TO ADJUST THE LIMITATIONS UPON THE MAYOR'S PROCUREMENT AUTHORITY FROM \$100,000.00 TO \$1,000,000.00; TO AMEND ARTICLE 6, CHAPTER 4, SECTION 6-402, SO AS TO ADJUST THE LIMITATIONS ON THE MAYOR'S SMALL PURCHASE AUTHORITY FROM \$20,000.00 TO \$1,000,000.00 AND TO ADJUST THE THRESHOLD REQUIREMENT FOR APPROVAL OF COMPETITIVELY PROCURED CONTRACTS BY THE CITY COUNCIL OF ATLANTA FROM \$100,000.00 TO \$1,000,000.00; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Charter Of The City Of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq. (hereinafter "the Charter") establishes the Mayor's authority to procure goods and services for the operation and management of the City of Atlanta (hereinafter "the City") and for the benefit of the citizens thereof; and

**WHEREAS**, the limitations upon the Mayor's procurement authority, as set forth in the Charter, were established in 1977; and

**WHEREAS**, *ab initio*, the limitations upon the Mayor's procurement authority were set to the economies of scale in 1977, to wit: \$100,000.00; and

**WHEREAS**, the City has experienced the effects of increased population, economic inflation, rapid changes in technology, and the impact of national security

concerns in the twenty-eight years since 1977 – all of which have significantly increased the cost of procuring goods and services for the City; and

**WHEREAS**, the effect of the aforementioned increased cost of procurement is that the Mayor is unable to procure the same proportional amount of goods and services within his or her procurement authority of \$100,000.00; and

**WHEREAS**, the increasing functional and operational needs of the City's residents and governmental units require adjusting the limitations upon the Mayor's procurement authority from \$100,000.00 to \$1,000,000.00; and

**WHEREAS**, the Charter also authorizes alternative selection methods for contracts, including small purchases not exceeding \$20,000.00; and

**WHEREAS**, the limitation upon the Mayor's authority to execute small purchases was set to the economies of scale in 1977, to wit: \$20,000.00; and

**WHEREAS**, the aforementioned increased cost of procurement has, similarly impacted the Mayor's ability to procure the same proportional amount of goods and services within his or her procurement authority of \$20,000.00 for small purchases; and

**WHEREAS**, it would be advantageous to the City to adjust the Mayor's procurement authority to greater empower the mayor to fulfill his or her duties to the City; and

**WHEREAS**, the aforementioned adjustments to the Mayor's procurement authority would require a concurrent amendment to the Charter as it pertains to the threshold requirement for approval of competitively procured contracts by the City Council of Atlanta.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**Section 1:** That the Mayor's purchasing authority, as set forth in Article 3, Chapter 1, Section 3-104 (14) of the Charter of the City of Atlanta, which reads:

(14) Purchase supplies, material, equipment and personal property of every type and description, and services for the rental, repair, or maintenance of equipment, machinery, and other city-owned property; provided, however, the purchase amount does not exceed \$100,000.00, such purchases conform

with the provisions within Chapter 4 of Article 6 herein and any purchasing and procurement ordinances of the city, and a duly enacted appropriation by the council authorizes expenditures for such purposes. Any award of contract not competitively procured in accordance with the Charter or ordinances of the city, or not awarded to the lowest bidder or offeror, shall be approved by the city council prior to an award;

be amended to read:

**(14) Purchase supplies, material, equipment and personal property of every type and description, and services for the rental, repair, or maintenance of equipment, machinery, and other city-owned property; provided, however, the purchase amount does not exceed \$1,000,000.00, such purchases conform with the provisions within Chapter 4 of Article 6 herein and any purchasing and procurement ordinances of the city, and a duly enacted appropriation by the council authorizes expenditures for such purposes. Any award of contract not competitively procured in accordance with the Charter or ordinances of the city, or not awarded to the lowest bidder or offeror, shall be approved by the city council prior to an award;**

**Section 2:** That the limitation upon the Mayor's authority to enter into contracts for small purchases as set forth in Article 6, Chapter 4, Section 6-402 (a) of the Charter of the City of Atlanta, which reads:

(a) The governing body shall prescribe by ordinance or resolution the procedures for all purchases of real and personal property by the city. The following alternative methods of securing contracts are hereby authorized, as set forth in and defined by ordinances currently effective or hereafter adopted or amended by the city council: competitive sealed bidding; competitive sealed proposals; small purchases not exceeding \$20,000.00; sole-source procurement; emergency procurement; and competitive selection procedures for professional and consultant services. Awards of contracts shall be made to the most responsible and responsive firms, said responsibility and responsiveness to be determined by factors including those set forth in subsection (b) below, including but not limited to compliance with the requirements of any existing minority and female business opportunity development plans and any local preference program as established by City ordinance. The terms "competitive bidding" and "most responsible and responsive firm" shall be defined to include compliance with the requirements of any minority and female business

participation plan which has been implemented by city ordinance pursuant to:

- (1) A finding by the city that such a plan is necessary to remedy the effects of prior private and public discrimination in the procurement and contracting practices of the city;
- (2) A requirement by federal law that the city maintain such a plan for purposes of receiving any federal grants or loans;
- (3) A finding by a judicial tribunal that such a plan is necessary to remedy past or present private and public discrimination in the procurement and contracting procedures of the city.

be amended to read:

(a) The governing body shall prescribe by ordinance or resolution the procedures for all purchases of real and personal property by the city. The following alternative methods of securing contracts are hereby authorized, as set forth in and defined by ordinances currently effective or hereafter adopted or amended by the city council: competitive sealed bidding; competitive sealed proposals; small purchases not exceeding \$1,000,000.00; sole-source procurement; emergency procurement; and competitive selection procedures for professional and consultant services. Awards of contracts shall be made to the most responsible and responsive firms, said responsibility and responsiveness to be determined by factors including those set forth in subsection (b) below, including but not limited to compliance with the requirements of any existing minority and female business opportunity development plans and any local preference program as established by City ordinance. The terms "competitive bidding" and "most responsible and responsive firm" shall be defined to include compliance with the requirements of any minority and female business participation plan which has been implemented by city ordinance pursuant to:

- (1) A finding by the city that such a plan is necessary to remedy the effects of prior private and public discrimination in the procurement and contracting practices of the city;
- (2) A requirement by federal law that the city maintain such a plan for purposes of receiving any federal grants or loans;

**(3) A finding by a judicial tribunal that such a plan is necessary to remedy past or present private and public discrimination in the procurement and contracting procedures of the city.**

**Section 3:** That the threshold requirement for approval of competitively procured contracts by the City Council of Atlanta, as set forth in Article 6, Chapter 4, Section 6-402 (e) of the Charter of the City of Atlanta, which reads:

(e) Contractual work related to any competitive sealed bid or proposal shall not be broken into components or parts so as to avoid the council's approval of awards of greater than \$100,000.00.

be amended to read:

**(e) Contractual work related to any competitive sealed bid or proposal shall not be broken into components or parts so as to avoid the council's approval of awards of greater than \$1,000,000.00.**

**Section 4:** That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L. (Act No. 1019, p. 4469), et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

**Section 5:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Exhibit "A"

**"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"**

Notice is hereby given that an ordinance has been introduced to amend Section 3-104 (Entitled "Powers and Duties") and Section 6-402 (Entitled "Purchasing Procedures") of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to adjust the Limitations Upon the Mayor's Procurement Authority from \$100,000.00 to \$1,000,000.00; to adjust the Limitations on the Mayor's Small Purchase Authority; to adjust the Threshold Requirement for Approval of Competitively Procured Contracts by the City Council of Atlanta; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This    day of \_\_\_\_\_, 2006.

Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE III, SEC. 2-176 AND CHAPTER 2, ARTICLE X OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, TO PROVIDE MORE EFFICIENT, EFFECTIVE STANDARDS AND PROCEDURES TO BETTER MANAGE THE PROCUREMENT PROCESS IN THE CITY OF ATLANTA; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Mayor commissioned a review of various processes in city government in 2002, with the objective of identifying best practices in the areas to be reviewed; and

**WHEREAS**, the Bureau of Purchasing and Real Estate (now named the Department of Procurement) was among the city departments identified to undergo a process review; and

**WHEREAS**, the Purchasing Agent for the Bureau of Purchasing and Real Estate advertised, on behalf of the Office of the Mayor, FC-7398-02, Process Review and Redesign for the Procurement Process (RFP); and

**WHEREAS**, by resolution of Council, 02-R-0498, the firm of Thompson, Cobb, Bazilio & Associates, P.C., was awarded the contract for FC-7398-02, Process Review and Redesign for the Procurement Process; and

**WHEREAS**, Thompson, Cobb, Bazilio & Associates, P.C. made various recommendations as a result of its process review and redesign; and

**WHEREAS**, in order to implement the recommendations of the process review and redesign for the procurement process, significant amendments to the Procurement and Real Estate Code of the City of Atlanta are necessary; and

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:



**LARGE ATTACHMENT:**

**DOCUMENT(S),**

**MANUAL(S)**

**OR**

**MAP(S)**

**NOT COPIED,**

**PULL ORIGINAL**

**FOR COPY OR TO VIEW**

AN ORDINANCE  
BY COUNCILMEMBER CEASAR MITCHELL



**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA BY ADDING TO SECTION 2-183; DEPARTMENT HEADS UNDER SUPERVISION AND DIRECTION OF THE MAYOR; EXCEPTION RESPONSIBILITIES; AND FOR OTHER PURPOSES.**

WHEREAS, the City Council of Atlanta, Georgia adopted ordinance 98-O-0761 (Attachment 1) May 4, 1998 to require departments and bureaus to file with the City's Municipal Clerk all reports they receive from regulatory agencies relating to audit, performance and investigations; and

WHEREAS, the City Council of Atlanta, Georgia adopted ordinance 05-O-1099(Attachment 2) June 20, 2005 to further provide that the Municipal Clerk shall notify all Councilmembers when such reports are received; and

WHEREAS, the City Council wishes to ensure that these adopted ordinances are codified.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, AS FOLLOWS:**

**Section 1:** That Section 2-183 of the Code of the City of Atlanta be amended to read as follows:

Sec. 2-183. Department heads under supervision and direction of mayor; exception; responsibilities.

The department heads of each of the departments, with the exception of the heads of the departments of finance and law, shall be under the direction and supervision of the mayor. The departments of finance and law shall be responsible jointly to the mayor and council. Each department head shall be responsible for the detailed administration and direction of the affairs and operation of the department and the bureaus and offices under his or her supervision, shall exercise both detailed and general management and control thereof, and shall direct and supervise the detailed operations of the respective bureau and office directors under their jurisdiction. Notwithstanding the requirements of this section, the Mayor shall file with the City's Municipal Clerk a written notice indicating that a report or correspondence has been received by the City, whether through the Mayor, department head or City employee, from a regulatory agency relating to audit, performance and investigations.

**Section 2:** That Section 2-307 of the Code of the City of Atlanta be amended to read as follows:

Section 2-307. Municipal clerk.

(a) There shall be a municipal clerk, who shall be appointed and removed by the council in accordance with this section. To be eligible to occupy this position, the municipal clerk must be designated a certified municipal clerk by the Georgia Municipal Association and the Georgia Finance Officers Association, or by an equivalent certifying agency from another state, or must receive such certification within one year following his or her appointment. The municipal clerk shall be appointed and removed at the pleasure of the council upon a majority vote of its membership. The municipal clerk need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(b) The municipal clerk shall be the custodian of the official seal and of all records and documents of the city which are not assigned to the custody of some other officer. The clerk, or his or her designee, shall keep the rules of the council and the minutes of the proceedings of the council, maintain a current and comprehensive index of all ordinances and resolutions, publish notice of ordinances proposed for adoption under rules prescribed by council or required by this Charter or law, and perform such other duties as may be assigned by this Charter or by ordinance.

(c) The municipal clerk shall be responsible to the council and perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council, acting through its chairperson.

(d) **The Municipal Clerk shall notify the Council President, Chair of the Committee of Purview, all Councilmembers and the Director of Council Staff of any said notices received pursuant to 2-183 from the Mayor, Departments or City employees as provided by regulatory agencies relating to audit, performance and investigations, within 48 hours of receipt of such reports.**

**Section 3:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE  
BY COUNCILMEMBER ANNE FAUVER

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF 1190 SPRING VALLEY WAY, ATLANTA, GEORGIA, 30306, .22 ACRES OF LAND LOCATED IN LAND LOT 55 OF THE 18<sup>TH</sup> DISTRICT OF DEKALB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA, GEORGIA; TO PROVIDE FOR THE NOTIFICATION OF THE DEPARTMENT OF COMMUNITY AFFAIRS OF THE STATE OF GEORGIA OF SUCH ANNEXATION; AND FOR OTHER PURPOSES

**WHEREAS**, the owner of real property (the "Applicant") has applied to the City of Atlanta for annexation ("the Application") of certain property identified as 1190 Spring Valley Way, as more fully described and delineated in Exhibits "A", "B" and "C" attached hereto (the "Property"); and

**WHEREAS**, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. § 36-36-1 *et seq.*; and

**WHEREAS**, the City of Atlanta has determined that the Applicant is the title holder of record of 100% of the privately owned land within the Property, as evidenced by the Clerk of the Superior Court of DeKalb County, Georgia; and

**WHEREAS**, the zoning classification approved by the City of Atlanta for the property which is the subject of the proposed annexation shall become effective on the later date of the date of the zoning is approved by the City of Atlanta on the date that the annexation becomes effective as required by O.C.G.A. § 36-36-2; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to DeKalb County, Georgia of all required information including notice of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, all issues between the City of Atlanta and DeKalb County regarding the annexation have been resolved prior to the adoption of this ordinance; and

**WHEREAS**, THE City of Atlanta has complied with all other applicable laws, ordinances and agreements with respect to the processing of the application; and

**WHEREAS**, the City of Atlanta has authority pursuant to O.C.G.A § 36-36-1 *et seq.* to annex certain property into the corporate limits of the City of Atlanta, and that the Mayor and Council of the City of Atlanta have determined that the annexation of the property would be in the best interest of the residents and property owners of the area to be annexed and of the citizens of the City of Atlanta; and

**WHEREAS**, any proposed annexation must be approved by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the application meets the requirements of law pursuant to O.C.G.A. § 36-36-1 et seq.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

- Section 1. The Property is hereby annexed to the existing corporate limits of the City Of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 2. There is hereby filed, as part of this Ordinance and identified as Exhibits "A", "B" and "C" a complete survey and legal description of the annexed land.
- Section 3. The Municipal Clerk is hereby authorized and directed to submit to the United States Department of Justice all necessary documentation required for the Department's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 4. The Municipal Clerk is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of DeKalb County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.
- Section 5. The Ordinance shall become effective immediately for school enrollment purposes and for all other purposes in accordance with applicable provisions of Georgia law, contingent upon approval of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 6. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby repealed; but it is hereby provided that any Ordinance or law, which may be applicable hereto and aid in carrying out the intent, purpose and provisions hereof, shall be liberally construed to be in favor of the City of Atlanta and is hereby adopted as a part hereof.

# McConnell Homes, Inc.

Post Mark Date Hand Delivered  
By \_\_\_\_\_

964 Adair N.E., Atlanta, Georgia 30306

March 23, 2006

Rhonda Dolphin Johnson  
Municipal Clerk  
City of Atlanta  
55 Trinity St SW  
Atlanta, Ga. 30338

RECEIVED

MAR 27 2006

MUNICIPAL CLERK

Re: Incorporation of the property located at 1190 Spring Valley Way, Atlanta, Ga. 30306 into the City of Atlanta

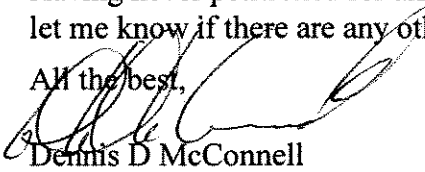
Dear Ms. Johnson,

McConnell Homes, Inc. as the property owner of 1190 Spring Valley Way Atlanta, Ga. 30306, would like to petition the City of Atlanta to annex this property into the City of Atlanta.

Attached is a copy of the Warranty deed from Ed Sabitino to McConnell Homes, Inc., a copy of the Dekalb Tax plat, a copy of the adjacent Fulton County tax plat and a copy of the property survey. The area of the lot is 9585 SF which is .22 acres. The use will remain the same as its current land use - single family home.

Having never petitioned for annexation before, I am not sure of what the process should be. Please let me know if there are any other documents that need to be executed.

All the best,

  
Dennis D McConnell  
President

<http://www.mcconnellhomes.com/>

Builder of the **2006 Southern Building Showshow house**

Recipient of the **2005 Atlanta Regional Commission's "Exceptional Merit Award for Context Sensitive Neighborhood Infill Design"**

2004 Winner of the **Earthcraft Homes "Custom Home Builder of the Year"** Award

AFTER RECORDING RETURN TO:  
 FRYER, HARRIS, INGRAM & BARRETT, P.C.  
 70 LENOX POINTE  
 ATLANTA, GEORGIA 30324  
 File No. 2004-2564

*Linda Carter*  
 Linda Carter  
 Clerk of Superior Court DeKalb Cty. Ga.  
 I HAVE NOTED THE TRUE AND CORRECT SIGNATURE OF GRANTOR AND THE SIGNATURE OF GRANTOR'S WITNESS.

## WARRANTY DEED

STATE OF GEORGIA  
 COUNTY OF DEKALB

THIS INDENTURE made this 25th day of May, 2004 between EDWARD C. SABATINO, JR. of the County of DEKALB, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MCCONNELL HOMES, INC., as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH THAT: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) DOLLARS and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 55, OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING PART OF LOT 16, BLOCK A, ROCK SPRINGS ESTATES SUBDIVISION; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR FOUND ON THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE 1017.70 FEET SOUTHEASTERLY FROM THE INTERSECTION FORMED BY THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE AND THE SOUTHEASTERN RIGHT OF WAY OF NORTH HIGHLAND AVENUE; RUNNING THENCE NORTH 23 DEGREES 34 MINUTES 58 SECONDS EAST 157.37 FEET TO 3/4" OPEN TOP FOUND; RUNNING THENCE SOUTH 80 DEGREES 39 MINUTES 46 SECONDS EAST 55.45 FEET TO A 3/4" OPEN TOP FOUND; RUNNING THENCE SOUTH 21 DEGREES 28 MINUTES 21 SECONDS WEST 174.37 FEET TO A 1/2" OPEN TOP FOUND ON THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE; RUNNING THENCE ALONG THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE A CHORD BEARING OF NORTH 63 DEGREES 20 MINUTES 24 SECONDS WEST, HAVING A RADIUS OF 1958.42', HAVING A ARC DISTANCE OF 60.25 FEET TO A 1/2" REBAR FOUND AND THE POINT OF BEGINNING; ALL ACCORDING TO PLAT OR SURVEY PREPARED BY GEORGIA LAND SURVEYING CO., INC., DATED September 29, 2003; BEING KNOWN AS 1190 SPRING VALLEY DRIVE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN DEKALB COUNTY, GEORGIA.

BEING THE SAME PROPERTY CONVEYED BY LIMITED WARRANTY DEED TO EDWARD C. SABATINO, JR. AT DEED BOOK 15422, PAGE 601, DEKALB COUNTY, GEORGIA RECORDS.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

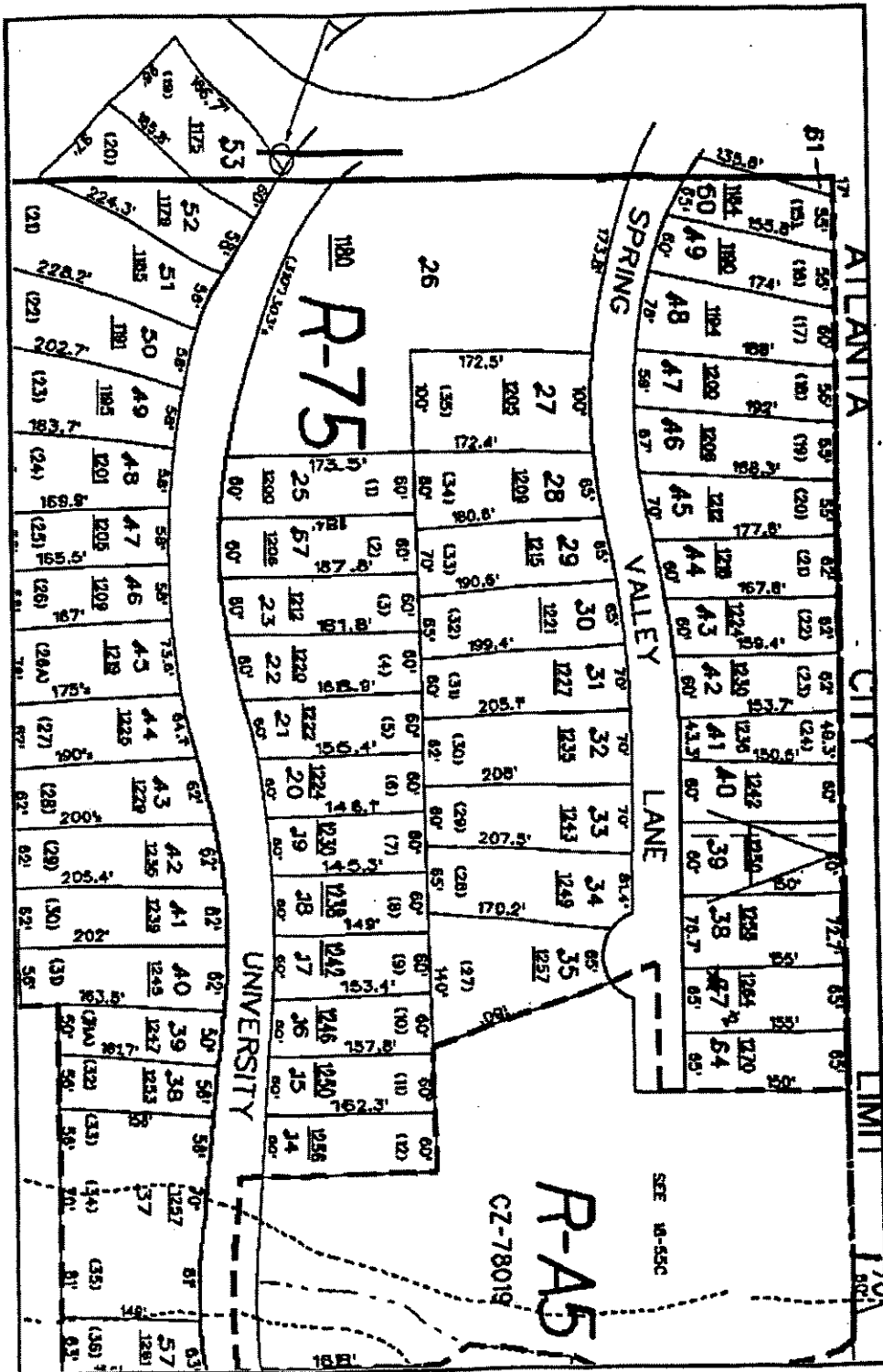
IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of

Witness

Notary Public  
 My commission expires:

*Edward C. Sabatino, Jr.*  
 EDWARD C. SABATINO, JR.



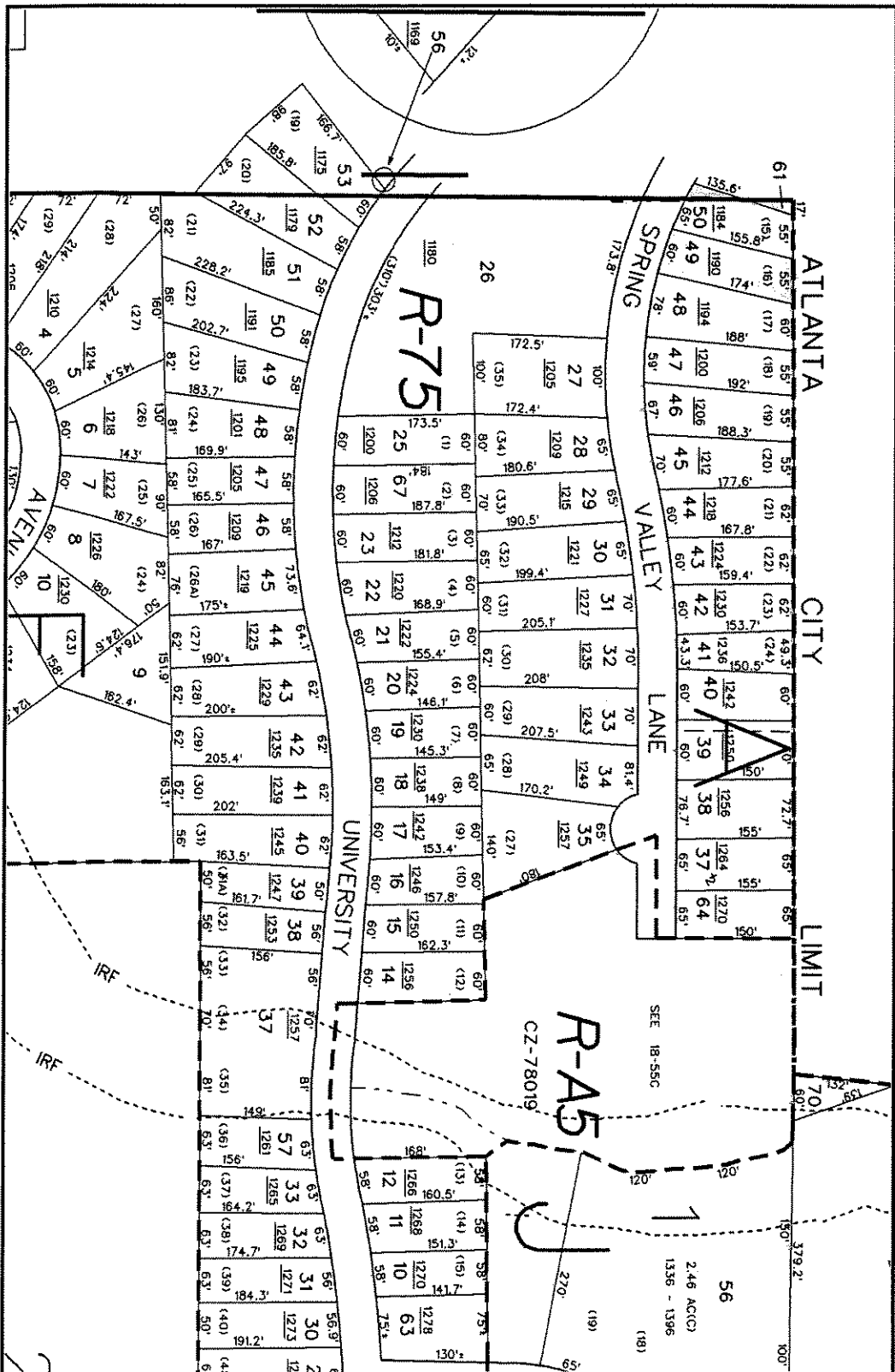
County: DEKALB Map: 18\_055.NT4 Date printed: 05/31/2005

The information in MapMerge is deemed reliable but is not guaranteed and is subject to change without notice.  
1997-2001 Market Data Center, All Rights Reserved. (770) 246-4545



The information in MapMerge is deemed reliable but is not guaranteed and is subject to change without notice.  
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County: DEKALB Map: 18\_055.NT4 Date printed: 03/27/2006





**CITY OF ATLANTA**  
**OFFICE OF MUNICIPAL CLERK**

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30303  
(404) 330-6033  
FAX (404) 658-6103

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

March 29, 2006

The Honorable Vernon Jones  
Chief Executive Officer of DeKalb County Board of Commissioners  
Manuel J. Maloff Center  
1300 Commerce Dr., 6<sup>th</sup> Floor  
Decatur, GA. 30030

Re: Annexation application

Dear Mr. Jones:

Please be advised that the City of Atlanta, by the authority vested in it by Article 2 of Chapter 36, Title 36 of the Official Code of Georgia Annotated, has received an application to annex 1190 Spring Valley Way, Atlanta, Georgia 30306, 22 acres of land, more or less, located in Land Lot 55 of the 18<sup>th</sup> District of DeKalb County. Be further advised that this notice is being sent within five (5) business days of receipt of the application, via certified mail, return receipt requested as required by O.C.G.A. § 36-36-6 and O.C.G.A. § 36-36-9.

Enclosed are a legal description of the property and a survey showing its location, attached as Exhibits "A" and "B". The subject property is currently zoned "single family residential" and the applicant has not requested a change in its zoning classification upon annexation. The proposed land use category upon annexation will be "single family residential" also. A copy of the City of Atlanta's land use map with the proposed annexation depicted thereon is also attached as Exhibit C.

Pursuant to O.C.G.A. § 36-36-7 and O.C.G.A. § 36-36-9, the DeKalb County governing authority is required to notify the governing authority of the City of Atlanta, in writing and by certified mail, of any county facilities or property located within the property to be annexed within five (5) business days of receipt of this correspondence.

Thank you for your prompt attention to this matter.

Respectfully,

Rhonda Dauphin Johnson  
City of Atlanta Municipal Clerk

Enclosures

7003 0500 0000 8111 E94D TT08

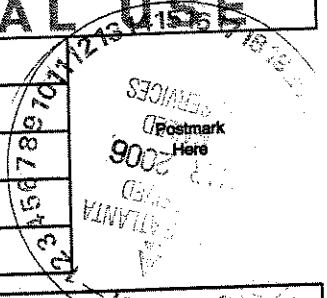
<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

**Sent To**  
CEO Vernon Jones DeKalb Bd of Commission

**Street, Apt. No.,  
or PO Box No.** 1300 Commerce Dr 6th Floor

**City, State, ZIP+4** Decatur GA 30030

PS Form 3800, June 2002 See Reverse for Instructions



UNITED STATES POSTAL SERVICE

NORTH METRO GA 300

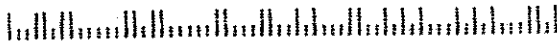
03 APR 2006 PM 2 T

First Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Rhonda Dauphin Johnson  
Municipal Clerk  
Office of The Municipal Clerk  
55 Trinity Ave SW  
Suite 2700  
Atlanta GA 30303

5 0033



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Vernon Jones  
Chief Executive Officer of  
DeKalb County  
Board of Commissioners  
Manuel J. Maloff Center  
1300 Commerce Dr 6th Floor  
Decatur GA 30030

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Walter E. Schaefer*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

APR 3 2006

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

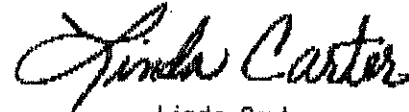
7003 0500 0002 8011 0483 83

Domestic Return Receipt

102595-01-M-0381

Deed Book 16217 Pg 374  
Filed and Recorded Jun-03-2004 12:05pm  
2004-0116411  
Real Estate Transfer Tax \$250.00

AFTER RECORDING RETURN TO:  
FRYER, HARRIS, INGRAM & BARRETT, P.C.  
70 LENOX POINTE  
ATLANTA, GEORGIA 30324  
File No. 2004-2564



Linda Carter  
Clerk of Superior Court DeKalb Cty. Ga.  
I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS FILED IN MY OFFICE.

## WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF DEKALB

THIS INDENTURE made this 25th day of May, 2004 between EDWARD C. SABATINO, JR. of the County of DEKALB, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MCCONNELL HOMES, INC., as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH THAT: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) DOLLARS and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 55, OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING PART OF LOT 16, BLOCK A, ROCK SPRINGS ESTATES SUBDIVISION; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR FOUND ON THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE 1017.70 FEET SOUTHEASTERLY FROM THE INTERSECTION FORMED BY THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE AND THE SOUTHEASTERN RIGHT OF WAY OF NORTH HIGHLAND AVENUE; RUNNING THENCE NORTH 23 DEGREES 34 MINUTES 58 SECONDS EAST 157.37 FEET TO 3/4" OPEN TOP FOUND; RUNNING THENCE SOUTH 80 DEGREES 39 MINUTES 46 SECONDS EAST 55.45 FEET TO A 3/4" OPEN TOP FOUND; RUNNING THENCE SOUTH 21 DEGREES 28 MINUTES 21 SECONDS WEST 174.37 FEET TO A 1/2" OPEN TOP FOUND ON THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE; RUNNING THENCE ALONG THE NORTHEASTERN RIGHT OF WAY OF SPRING VALLEY DRIVE A CHORD BEARING OF NORTH 63 DEGREES 20 MINUTES 24 SECONDS WEST, HAVING A RADIUS OF 1958.42', HAVING A ARC DISTANCE OF 60.25 FEET TO A 1/2" REBAR FOUND AND THE POINT OF BEGINNING; ALL ACCORDING TO PLAT OR SURVEY PREPARED BY GEORGIA LAND SURVEYING CO., INC., DATED September 29, 2003; BEING KNOWN AS 1190 SPRING VALLEY DRIVE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN DEKALB COUNTY, GEORGIA.

BEING THE SAME PROPERTY CONVEYED BY LIMITED WARRANTY DEED TO EDWARD C. SABATINO, JR. AT DEED BOOK 15422, PAGE 601, DEKALB COUNTY, GEORGIA RECORDS.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the Grantees, their heirs, successors and assigns forever.

appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

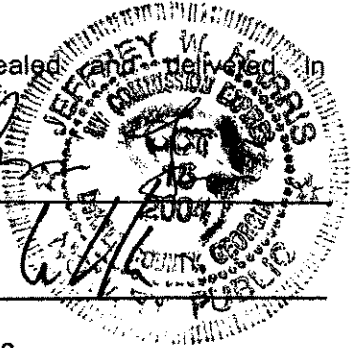
IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

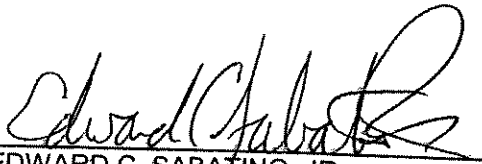
Signed, sealed and delivered in the presence of:

Witness

Notary Public

My commission expires:



  
EDWARD C. SABATINO, JR.